

AGENDA: February 11, 2003

4.2

CATEGORY: Consent

DEPT.: Community Services

TITLE: Street Closure, Sound Amplification,
Festival Area Designation and Animal
Ban for the Chamber of Commerce Art
and Wine Festival

RECOMMENDATION

1. Adopt A RESOLUTION TO APPROVE THE CLOSURE OF CERTAIN STREETS IN THE DOWNTOWN AREA FROM 2:00 A.M. ON SATURDAY, SEPTEMBER 6, 2003, TO 5:00 A.M. ON MONDAY, SEPTEMBER 8, 2003, FOR THE CHAMBER OF COMMERCE ART AND WINE FESTIVAL, to be read in title only, further reading waived.
2. Approve the operation of a sound amplification device by the applicant between 11:00 a.m. and 5:45 p.m., Saturday, September 6, 2003, and between 11:00 a.m. and 5:45 p.m., Sunday, September 7, 2003, within the festival area, under conditions as specified.
3. Approve a festival area designation for the area of street closure on Saturday, September 6, 2003, and Sunday, September 7, 2003.
4. Approve an animal ban within the festival area designation.

FISCAL IMPACT

The total approximate cost for Police, Fire, Streets, Roadway Landscape, Solid Waste and Community Services is \$17,600 (\$13,012 to be paid by the applicant, \$4,588 to be subsidized by the City per Council Policy K-14).

BACKGROUND AND ANALYSIS

This is the 32nd annual Art and Wine Festival sponsored by the Chamber of Commerce (Attachment 2). The event will be held in the downtown area and will feature entertainment, art displays, amplified music, information booths and vending of food, merchandise and beverages. Tickets for alcoholic beverages will be sold until one-half hour prior to the close of the event each day; alcohol service will cease 15 minutes prior to the close of the event each day.

Based on the 2002 event evaluation, staff is recommending that all food vendors be notified that cardboard or tarps will not be allowed to protect the street from spills unless it is covered with a nonslip surface.

Financial Disclosure

According to the 2002 financial disclosure form submitted by the applicant (Attachment 3), expenses for the Art and Wine Festival were \$193,374; revenue was \$361,888; net to the Chamber of Commerce was \$168,514, all of which was retained by the agency.

The nature of this event necessitates an event permit pursuant to Council Policy K-14. There will be live, amplified entertainment at various times, necessitating a permit pursuant to City Code Section 3.17.2, subject to conditions listed herein.

Conditions of Permit Issuance

Violation of any of the conditions listed herein will result in the revocation of permit authority by any Police Officer or authorized City representative and cessation of the event.

1. Street closure caveats as follows:
 - Driveway access to the office complex at 650 Castro Street (on Church Street) will be kept open and accessible at all times.
 - Driveway access to the apartment complexes on Church Street within the closure area shall only be closed with the express consent of the management or owners of the complexes.
 - Access to all fire hydrants shall remain clear at all times.
 - All garbage should be picked up by 9:00 a.m. on Monday, September 8.
2. The location of any sound amplification device(s) shall be stationary and confined to a predesignated location within the festival area. This location shall be approved by the City in advance of the event.
3. Sound amplification shall be restricted to the hours of 11:00 a.m. to 5:45 p.m. on Saturday, September 6, 2003, and Sunday, September 7, 2003.
4. Decibel level of the amplification shall be subject to reduction upon the request of any Police Officer (on-duty Mountain View Police Officer).

5. Applicant shall pay for rental of public toilets, barricades and traffic control devices as deemed necessary by the City.
6. Applicant shall provide for procurement and placement of garbage dumpsters and garbage cans and for trash monitors who will ensure the area is free of debris during and after the event.
7. Applicant shall provide for proctors and monitors to facilitate order at the event. Such proctors will be responsible for providing services deemed necessary by the City, including by way of example, but not limited to, first-aid stations, lost-and-found stations, lost children stations, City parking lots, etc.
8. Applicant shall provide space within the festival area for any group which may wish to exercise First Amendment-protected rights.
9. Applicant shall follow all legal directions requested by any Mountain View Police Officer, including the temporary or complete cessation of any or all components of the event if, in the Police Officer's judgment, the cessation is necessary to ensure the public safety.
10. Applicant shall arrange for insurance as required by the City.
11. Applicant shall contact all businesses within the affected street closure area, advise them of this event and advise them that any opposition to the event can be expressed to Council on the date this item is to be heard (Attachment 4).
12. Applicant shall provide the Police and Fire Departments with a copy of the conditions and policies given to all vendors.
13. Applicant shall post detour signs directing motorists around the street closures.
14. Applicant shall provide a midblock break in every street block. The specifications by the Police and Fire Departments shall be followed.
15. Applicant shall design and post "No Pets" signs at all prominent entrances to the Festival and, wherever possible, include pet ban information in pre-event publicity.
16. Applicant will provide booths that comply with fire safety regulations for all food vendors.

AGENDA: February 11, 2003

PAGE: 4

17. Applicant will notify vendors of approved locations to access water and electricity.
18. Notification to all vendors that only the use of diesel generators will be allowed at the Festival.
19. Applicant must make a final follow-up with the primary Mountain View Police Officer on duty prior to leaving the event area and also do a final walk-through of event site at conclusion of Festival with primary Officer on duty.
20. Applicant shall follow all policies governing use of Civic Center Plaza.

ALTERNATIVE—Denial of the event or specific components of the event.

PUBLIC NOTICING

Agenda posting. Notification in Central Business Association's monthly newsletter.

Prepared by:

Approved by:

Michele Petersen
Recreation Supervisor

David A. Muela
Community Services Director

Kevin C. Duggan
City Manager

MP/8/CAM
207-02-11-03M^

- Attachments:
1. Resolution
 2. Special Event Application
 3. 2002 Financial Disclosure Form
 4. Notice to Businesses

CITY OF MOUNTAIN VIEW
RESOLUTION NO.
SERIES 2003

A RESOLUTION TO APPROVE THE CLOSURE OF CERTAIN STREETS
IN THE DOWNTOWN AREA FROM 2:00 A.M. ON SATURDAY, SEPTEMBER 6, 2003,
TO 5:00 A.M. ON MONDAY, SEPTEMBER 8, 2003,
FOR THE CHAMBER OF COMMERCE ART AND WINE FESTIVAL

BE IT RESOLVED that the City Council of the City of Mountain View hereby approves the closure of the following streets for the Chamber of Commerce Art and Wine Festival from 2:00 a.m., Saturday, September 6, 2003, to 5:00 a.m., Monday, September 8, 2003, as specified:

- Castro Street, from Evelyn Avenue to El Camino Real.
- California Street, from Bryant Street to Hope Street.
- Mercy Street, from Bryant Street to Hope Street.
- Church Street, 40 yards shy of Franklin Street to Hope Street. (Driveway access to the office complex at 650 Castro Street (on Church Street) will be kept open and accessible at all times; driveway access to the apartment complexes on Church Street within the closure area shall only be closed with the express consent of the management or owners of the complex.)
- Yosemite Avenue, from Castro Street to one-half block from Hope Street.
- High School Way, from Castro Street to one-half block from Franklin Street. (Driveway access to the office complex at 800 El Camino Real West and to the apartment complexes on High School Way within the closure area shall only be closed at the express consent of the management or owners of the complex.)

From 3:00 a.m., Saturday, September 6, 2003, to 5:00 a.m., Monday, September 8, 2003:

- Dana Street, from Bryant Street to Hope Street.
- Villa Street, from Bryant Street to Hope Street.

207-01-28-03R-3^